

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

UNITED STATES,

v.

JOAQUÍN GUZMÁN LOERA,

Defendant.

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Criminal No. 09-0466(BMC)

**DEFENDANT'S RESPONSE TO
GOVERNMENT'S MOTION FOR SANCTIONS**

DEFENDANT Joaquín Guzmán Loera ("Guzman"), by and through undersigned counsel, respectfully submits this response to the government's motion for sanctions and states as follows:

1. The government has filed a motion for sanctions against [REDACTED] [REDACTED] for a deliberate violation of the Special Administrative Measures, [REDACTED] lack of candor to the Court and for [REDACTED] alleged violation of the rules of the courthouse. The government's motion is premised on the use of a cellphone by a prohibited person allegedly provided by [REDACTED]. See Doc. 468.

2. Although the government does not allege any misconduct by Attorneys A. Eduardo Balarezo or William B. Purpura, it nevertheless requests that "the rest of the defense team should be admonished not to abuse the privilege of attorneys to bring cellular telephones into the courthouse" Doc. 468 at 14.

3. As previously represented to the Court:

While "no fewer than seven defense attorneys are currently entered on the docket in this case," only Attorneys Balarezo, Purpura and Lichtman are trial counsel. The remaining attorneys of record have been retained by Mr. Guzmán for various tasks and are not operating under the control or auspices of Balarezo or Purpura and are not working on trial preparations.

Doc. 3. [REDACTED] is a member of the Bar of this Court and has entered [REDACTED] appearance in this matter. Attorneys Balarezo and Purpura are not responsible for [REDACTED] actions.

4. The government alleges that a court “CSO informed Mr. Balarezo and Mr. Purpura that the CSO had observed” the prohibited person “in possession of a cellular telephone.” Doc. 468 at 12. Attorney Balarezo recalls a brief mention of this issue by a CSO at the end of the trial day on November 20 as he was leaving the courthouse. Although the CSO did not describe the event as a major problem, Attorney Balarezo nevertheless spoke to the relevant parties and reminded them that such conduct is not allowed. Attorneys Balarezo and Purpura have been singularly focused on the ongoing trial and have no further knowledge of the allegations against [REDACTED].

5. Because Attorneys Balarezo and Purpura and their staff have not acted in any manner that is contrary to the law, the rules of court or the rules of professional conduct there is no need for further response to the government’s motion for sanctions.

Dated: Brooklyn, New York
November 30, 2018

Respectfully submitted,

BALAREZO LAW

/s/

By:

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PURPURA & PURPURA

/s/

By: _____

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Counsel for Joaquin Guzmán Loera

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of November 2018, I caused a true and correct copy of the foregoing Defendant's Response to Government's Motion for Sanctions to be delivered via Electronic Case Filing to the parties in this case.

/s/

A. Eduardo Balarezo